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8       File No. 09-93702

E-filed on August 24, 2009

6 Attorneys for Secured Creditor,  
BAC HOME LOANS SERVICING, LP FKA  
COUNTRYWIDE HOME LOANS SERVICING, LP

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

10 In re:  
11 ADALBERTO GONZALEZ AND ZENAIDA  
12 GONZALEZ,  
13 Debtors.

Case No.: BK-S-09-21070-LBR  
Chapter 13

## **OBJECTIONS TO PROPOSED CHAPTER 13 PLAN AND CONFIRMATION THEREOF**

Date: September 3, 2009  
Time: 01:30 P.M.

15 BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS  
16 SERVICING, LP, Secured Creditor in the above-entitled Bankruptcy proceeding, hereby submits  
17 the following Objections to the Confirmation of that certain Chapter 13 Plan proposed by  
18 Debtors:

19        This objecting Secured Creditor holds the first Trust Deed on the subject property  
20 generally described as: 5944 Hickory Nut Avenue, Las Vegas, NV 89142. As of June 25, 2009,  
21 the amount in default was \$8,915.37, representing monthly payments and late charges due from  
22 February 1, 2009 through June 25, 2009; advances for taxes and insurance, if any; and  
23 foreclosure costs and attorneys' fees incurred with respect to the default.

The Debtor's Chapter 13 Plan provides for only \$3,600.00 in pre-petition arrears to be paid to Secured Creditor.

## **CONCLUSION**

Any Chapter 13 Plan proposed by Debtors must provide for and eliminate the Objections specified above in order to be reasonable and to comply with applicable provisions of the Bankruptcy Code. It is respectfully requested that confirmation of the Chapter 13 Plan as proposed by Debtor be denied.

8 WHEREFORE, Secured Creditor prays as follows:

MILES, BAUER, BERGSTROM & WINTERS, LLP

13 Dated: August 24, 2009 By: /s/ Jeremy T. Bergstrom, Esq.  
14 Jeremy T. Bergstrom, Esq.  
Attorney for Secured Creditor

15 (09-93702/objaznv.dot/srb)

**CERTIFICATE OF MAILING**

The undersigned hereby certifies that on August 24, 2009, a copy of  
Secured Creditor's **OBJECTIONS TO PROPOSED CHAPTER 13 PLAN AND**  
**CONFIRMATION THEREOF** was served by depositing a copy of same in the United States  
Mail, in a postage prepaid envelope, addressed to:

**DEBTOR:**

Adalberto Gonzalez  
Zenaida Gonzalez  
2222 Seahurst Dr.  
Las Vegas, Nv 89142

**ATTORNEY FOR DEBTOR:**

Samuel A. Schwartz  
626 S. Third St.  
Las Vegas, NV 89101

## CHAPTER 13 TRUSTEE:

Rick A. Yarnall  
701 Bridger Ave. #820  
Las Vegas, NV 89101

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

/s/ Sarah R. Biondo  
An Employee of Miles, Bauer, Bergstrom & Winters, LLP  
(09-93702/objaznv.dot/srb)